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OFFICE OF PETITIONS

In re Application of :
Ingvar Sjoqvist :
Application No. 10/797,598 : ON PETITION
Filed: March 11, 2004 :
Attorney Docket No. 19200-00033/US :
:

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed June 17, 2008.

The petition is **GRANTED**.

This application was held abandoned for failure to timely file a proper response to the non-final Office action mailed September 19, 2007. This Office action set a shortened period for reply of three (3) months. A Notice of Abandonment was mailed on June 12, 2008.

Petitioner contends that he did timely file a reply. In support, petitioner has included a copy of a postcard receipt dated January 22, 2008, identifying the above application and itemizing an Amendment and a check for \$120.

A postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the Office of all items listed thereon on the date stamped thereon by the Office. See MPEP 503.

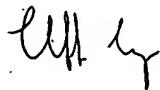
As January 19, 2008 fell on a Saturday and January 21, 2008 fell on a federal holiday, petitioner's filing of the Amendment and one month extension of time on January 22, 2008 was timely.

Furthermore, a review of Office records reveals that the Office received the fee for the one month extension of time on January 22, 2008.

In view thereof, **THE HOLDING OF ABANDONMENT IS WITHDRAWN.**

The application is being forwarded to Group Art Unit 2615 for consideration of the Amendment filed January 22, 2008, a copy of which has been supplied with the instant petition.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions